II. CLAIM AMENDMENTS

1. (Currently amended) A method of transmitting text-based messages from a mobile station in a telecommunication system comprising a first network offering circuit-switched services, and a second network offering packet-switched services, the method comprising:

checking, by the mobile station, in response to the need to transmit at least one text-based message, if the mobile station is attached to the second network,

transmitting said at least one text-based message to the second network in response to the mobile station being attached to the second network, and

in response to failure to transmit the at least one text-based message via the second network if an error message is received from the second network, transmitting said at least one text-based message to the first network.

2. (Original) A method as claimed in claim 1, wherein said message is transmitted via the first network in response to non-attachment to the second network.

3. (Original) A method as claimed in claim 1, further comprising the steps of:

suspending packet-switched service in the second network before transmitting said message to the first network, and

continuing offering the packet-switched service after transmission of said message at the request of the first network or the mobile station.

4. (Original) A method as claimed in claim 1, wherein

the first network is a GSM network and the second network is a GPRS network.

5. (Original) A method as claimed in claim 4, wherein said message is a text-based short message of a short message service SMS or a picture message.

6. (Original) A method as claimed in claim 1, wherein

the user of the mobile station is offered the option to choose whether the messages are transmitted via the first network or the second network, and

the messages are transmitted in accordance with the user's choice.

7. (Currently amended) A mobile station configured to transmit a text-based message via a first network offering circuit-switched services and a text-based message via a second network offering packet-switched services, the mobile station being further configured to

check, in response to the need to transmit at least one text-based message, if the mobile station is attached to the second network,

transmit said at least one text-based message to the second network in response to the mobile station being attached to the second network, and

in response to failure to transmit the at least one text-based message via the second network if an error message is received from the second network, transmit said at least one text-based message to the first network.

8. (Previously presented) A mobile station as claimed in claim 7, wherein

the mobile station is configured to transmit said message via the first network in response to non-attachment to the second network.

9. (Previously presented) A mobile station as claimed in claim 7, wherein

the mobile station's user interface (UI) is configured to display a menu offering the user of the mobile station the option to choose whether messages are transmitted via the first network or the second network, and

the mobile station is configured to transmit the messages in accordance with the user's choice.

10. (Currently amended) A mobile station as claimed in claim 7, wherein

the first network is a GSM network, the second network is a GPRS network, and said message is a text-based short message of a short message service SMS.

11. (Previously presented) A method as claimed in claim 1, wherein, in said step of transmitting said at least one message to the second network, said at least one message is transmitted via a short message service (SMS) form of transmission.

12. (Previously presented) A mobile station as claimed in claim 7, wherein the mobile station is operative to transmit said at least one message to the second network via a short message service (SMS) form of transmission.

13. (Currently amended) A method as claimed in claim 1, wherein the second network is a GPRS network and said message is a text-based short message of a short message service SMS, and said at least one message is transmitted to the first network offering circuit-switched services in response to a failure in the SMS transmission via the GPRS network if the error message is received in the mobile station.

14. (Currently amended) A mobile station as claimed in claim 7, wherein the second network is a GPRS network and said message is a text-based short message of a short message service SMS, and the mobile station is configured to transmit said at least one message to the first network offering circuit-switched services in response to a failure in the SMS transmission via the GPRS network if the error message is received in the mobile station.

15. (Currently amended) A wireless device for transmitting a text-based message via a first network or a second network, the wireless device comprising a processing unit and a memory for storing code for execution by the processing unit,

the processing unit being configurable by the code to check, in response to a need to transmit at least one text-based message, if the wireless device is attached to the second network,

the processing unit being configurable by the code to transmit said at least one text-based message to the second network in response to the wireless device being attached to the second network, and

in response to failure to transmit the at least one text-based message via the second network if an error message is received from the second network, the processing unit being configurable by the code to transmit said at least one text-based message to the first network.

16. (Currently amended) A method of transmitting short text-based messages from a mobile station in a telecommunication system comprising a first network offering circuit-switched services, a second network offering packet-switched services, the method comprising:

checking, by the mobile station, in response to a need to transmit at least one short text-based message, if the mobile station is attached to the second network,

transmitting said at least one short text-based message to the second network in response to the mobile station being attached to the second network, and

in response to failure to transmit the text-based message via the second network if an error message is received from the second network, transmitting said at least one short text-based message to the first network.

17. (Currently amended) A mobile station configured to transmit a short text-based message via a first network offering circuit-switched services and a short text-based message via a second network offering packet-switched services, the mobile station being further configured to:

check, in response to a need to transmit at least one short text-based message, if the mobile station is attached to the second network,

transmit said at least one short text-based message to the second network in response to the mobile station being attached to the second network, and

in response to failure to transmit the text-based message via the second network if an error message is received from the second network, transmit said at least one short text-based message to the first network.

18. (Currently amended) A mobile station comprising:

means for transmitting a short text-based message via a first network offering circuit-switched services,

means for transmitting a short text-based message via a second network offering packet-switched services,

means for checking, by the mobile station, in response to a need to transmit at least one short text-based message, if the mobile station is attached to the second network,

means for transmitting said at least one short text-based message to the second network in response to the mobile station being attached to the second network, and

means for transmitting said at least one short text-based message to the first network in response to a failure to transmit the at least one short text-based message via the second network if an error message is received from the second network.

19. (Currently amended) A wireless device operative with a first network and a second network, the wireless device comprising:

means for checking, in response to a need to transmit at least one text-based message, if the wireless device is attached to the second network,

means for transmitting said at least one text-based message to the second network in response to an attachment of the wireless device to the second network, and

means for transmitting said at least one text-based message to the first network in response to a failure to transmit the at least one text-based message via the second network if an error message is received from the second network.

20. (Currently amended) An apparatus for transmitting text-based messages in a telecommunication system, the system having a first network offering circuit-switched services and a second network offering packet-switched services, the apparatus being operative to:

check, in response to the need to transmit at least one text-based message, if an attachment exists to the second network,

transmit said at least one text-based message via the second network in response to there existing the attachment to the second network, and

in response to failure to transmit the at least one text-based message via the second network if an error message is received from the second network, transmit said at least one text-based message via the first network.

21. (Currently amended) An apparatus as claimed in claim 20, wherein said at least one message is a short text-based message of a short message service.

22. (Currently amended) A storage medium for storing a computer program executable in a processor of an apparatus, wherein the apparatus is operative for transmitting text-based messages in a telecommunication system that has a first network offering circuit-switched services and a second network offering packet-switched services, the computer program comprising code to configure the apparatus to:

check, in response to the need to transmit at least one text-based message, if the mobile station is attached to the second network,

transmit said at least one text-based message via the second network in response to the mobile station being attached to the second network; and

in response to failure to transmit the text-based message via the second network upon receipt of an error message from the second network, transmit said at least one text-based message to the first network.

23. (Currently amended) A storage medium as claimed in claim 22, wherein the computer program comprises code for arranging transmission of short text-based messages of a short message service.

24. (Currently amended) An apparatus for transmitting text-based messages from a mobile station in a telecommunication system, the system having a first network offering circuit-switched services and a second network offering packet-switched services, the apparatus comprising:

means for checking, in response to a need to transmit at least one text-based message, if an attachment exists from the mobile station to the second network,

means for directing transmission of said at least one text-based message via the second network in response to the existence of the attachment to the second network, and

wherein said transmission directing means, in response to a failure to transmit the at least one text-based message via the second network upon receipt of an error message from the second network, directs the transmission of said at least one text-based message via the first network.